

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.470 of 2022

Devendra Kishore Singh Son of Deepnarayan Singh Resident of Village-Gangauli, P.S. Mashrakh, District- Saran at Chapra presently posted as Security/Guard-Incharge at Agricultural Produce Marketing Committee (Dissolved), Sardha, Chapra, District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Agricultural Government of Bihar, Patna.
2. The Agricultural Product Commissioner, Department of Agricultural, Government of Bihar, Patna.
3. The Administrator, Bihar State Agricultural Marketing Board (Dissolved), Pant Bhawan, Jawaharlal Nehru Marg, Patna.
4. The Collector-cum-District Magistrate, Saran at Chapra.
5. The Special Officer-cum-Sub Divisional Officer, the Agricultural Produce Marketing Committee (Dissolved), Sardha, Chapra, District Saran at Chapra.
6. The Competent Authority relates to the Agricultural Produce Marketing Committee (Dissolved), Sardha, Chapra, District Saran at Chapra.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Jeetendra Narayan, Advocate
		Mr. Amit Narayan, Advocate
For the Respondent/s	:	Mr. Dhurjati Kr. Prasad (GP-14)

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 16-03-2026 Heard learned counsel for the petitioner and learned counsel for the respondents.

2. The case of the petitioner in brief is that being a Ex-Defence personnel, he joined the Security and Intelligence Services whereby he was engaged for working as a Security Incharge in the Agricultural Produce Marketing Board at Chapra. He continued to work in the said capacity for a few years, however thereafter, as per the case of the petitioner, the



respondent Agricultural Produce Marketing Committee (Dissolved) engaged several of the security personnel including the petitioner vide Office Order no.60 dated 4.6.2005 (Annexure-2).

3. It is the case of the petitioner that he has continued to work in the said capacity from November, 2018 to March, 2021, however payment of remuneration has been made by the Special Officer-cum-Sub Divisional Officer, Agricultural Produce Marketing Committee (Dissolved) calculating the number of days at the rate of 26 days every month instead of 30 or 31 days per month. It is submitted that the respondents be directed to make payment of full month counting 30 or 31 days in place of 26 days every month.

4. Learned counsel for the respondents in reference to the counter affidavit filed on behalf of the respondent no.4 and 5 and more particularly a copy of the letter dated 29.3.2017 of the Deputy Secretary, Revenue Board, Bihar, Patna brought on record as Annexure-G to the counter affidavit submits that as per instructions contained therein, the payment has to be made at the rates mentioned therein ie 26 days for the work done every month. It is thus submitted that there is no illegality in the payment made and no merit in the instant writ application.



5. It may be mentioned here that no rejoinder to the averment made in the counter affidavit has been filed on behalf of learned counsel for the petitioner challenging the guidelines/directions contained in letter dated 29.3.2017 issued under the signature of the Deputy Secretary, Revenue Board, Bihar, Patna.

6. Having heard learned counsel for the parties and taking into consideration the material on record and especially the guidelines contained in the letter dated 29.3.2017 passed by the Deputy Secretary, Revenue Board, Patna, the Court finds no merit in the instant application.

7. The application is dismissed.

(Partha Sarthy, J)

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